

pledge to enhance common efforts to expand global energy supplies and will seek new means to deliver those resources to the international market.

We share a commitment to economic diversification across a range of industries and sectors. Recognizing Kazakhstan's macro-economic reforms and impressive economic successes, the United States will continue to assist in Kazakhstan's transformation into a strong, economically developed country. Both sides view liberalization and diversification of the economy as a key to sustained growth. The United States supports Kazakhstan's plan to join the world's fifty most competitive nations consistent with the strategy outlined by President Nursultan Nazarbayev. Strengthening the rule of law, taking steps to improve Kazakhstan's investment climate, and reducing business risk will contribute to that shared goal. We pledge our support for efforts under the Extractive Industries Transparency Initiative (EITI) to ensure that companies in the petroleum and mining industries observe international standards of transparency and accountability.

The United States supports Kazakhstan's membership in the World Trade Organization, and welcomes Kazakhstan's efforts to prepare for membership, recognizing that a market access agreement will enhance free trade and contribute to the continuing modernization of Kazakhstan's economy. The United States will send a team of experts to Kazakhstan in the coming months to continue this joint work. Both sides pledge to facilitate Kazakhstan's graduation under the Jackson-Vanik Amendment.

In order to strengthen friendship between our peoples, we intend to expand our cultural and humanitarian cooperation, including exchanges of students. We also intend to strengthen scientific and technical cooperation between researchers and students at universities, research institutes, and in the private sector.

The United States supports Kazakhstan's leadership in regional integration efforts including its significant investment throughout Eurasia and in Afghanistan. We declare our common commitment to strengthen the independence, sovereignty and security of, and to develop democratic institutions in, the countries of the region, ensuring their sustainable development and prosperity. We pledge to support legal trade by improving border crossings and customs procedures, the implementation of transportation and infrastructure projects, and the use of cross-border resources.

Confirming our commitment to this shared view to implementing the agreements achieved today, we declare our intention to further strengthen our strategic partnership through enhanced strategic dialogues on energy, military cooperation, trade and investment, and democratization. We express firm confidence that an enhanced strategic partnership between our countries will promote security and prosperity and foster democracy in the 21st Century.

NOTE: An original was not available for verification of the content of this joint statement.

## Statement on Congressional Passage of Department of Defense Appropriations Legislation *September 29, 2006*

I applaud Congress for passing legislation that will provide our men and women in

uniform with the necessary resources to protect our country and win the war on

terror. As our troops risk their lives to fight terrorism, this bill will ensure they are prepared to defeat today's enemies and ad-

dress tomorrow's threats. I look forward to signing this bill into law.

NOTE: The statement referred to H.R. 5631.

## **Statement on Signing the Department of Defense Appropriations Act, 2007 *September 29, 2006***

Today, I have signed into law H.R. 5631, the "Department of Defense Appropriations Act, 2007." The Act appropriates the funds needed to fight the war on terror, advance other United States interests around the world, and support our Armed Forces. The Act also continues funding for Government programs for which the Congress has not yet enacted regular appropriations acts.

Sections 8007, 8084, and 9005 of the Act prohibit the use of funds to initiate a special access program or a new start program, unless the congressional defense committees receive advance notice. The Supreme Court of the United States has stated that the President's authority to classify and control access to information bearing on the national security flows from the Constitution and does not depend upon a legislative grant of authority. Although the advance notice contemplated by sections 8007, 8084, and 9005 can be provided in most situations as a matter of comity, situations may arise, especially in wartime, in which the President must act promptly under his constitutional grants of executive power and authority as Commander in Chief of the Armed Forces while protecting certain extraordinarily sensitive national security information. The executive branch shall construe these sections in a manner consistent with the constitutional authority of the President.

Section 8050 of the Act provides that, notwithstanding any other provision of law, no funds available to the Department of Defense for fiscal year 2007 may be used

to transfer defense articles or services, other than intelligence services, to another nation or an international organization for international peacekeeping, peace enforcement, or humanitarian assistance operations, until 15 days after the executive branch notifies six committees of the Congress of the planned transfer. To the extent that protection of the U.S. Armed Forces deployed for international peacekeeping, peace enforcement, or humanitarian assistance operations might require action of a kind covered by section 8050 sooner than 15 days after notification, the executive branch shall construe the section in a manner consistent with the President's constitutional authority as Commander in Chief.

A proviso in the Act's appropriation for "Operation and Maintenance, Defense-Wide" purports to prohibit planning for consolidation of certain offices within the Department of Defense. Also, sections 8010(b), 8032(b), and 8089 purport to specify the content of portions of future budget requests to the Congress. The executive branch shall construe these provisions relating to planning and making of budget recommendations in a manner consistent with the President's constitutional authority to require the opinions of the heads of departments, to supervise the unitary executive branch, and to recommend for congressional consideration such measures as the President shall judge necessary and expedient.

Section 8005 of the Act, relating to requests to congressional committees for reprogramming of funds, shall be construed